

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Trellis P. Williams

Docket No. 5:11-CR-323-1BO

Petition for Action on Supervised Release

COMES NOW Eddie J. Smith, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Trellis P. Williams, who, upon an earlier plea of guilty to 18 U.S.C. §§ 1344(1) and (2), Bank Fraud, 18 U.S.C. § 1708, Possession of Stolen Mail, and 18 U.S.C. § 513(a), Making, Uttering, and Possessing a Forged Check, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on June 15, 2012, to the custody of the Bureau of Prisons for a term of 8 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court.

Trellis P. Williams was released from custody on July 23, 2012, at which time the term of supervised release commenced. On August 13, 2012, in response to the defendant's use of cocaine, the court modified the conditions of supervision to include the following:

The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.

On April 16, 2013, in response to the defendant's continued use of cocaine, failing to report for office visits, failing to report for urine samples as directed, and failing to pay monetary obligations, the court modified the conditions of supervision to include the following:

The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On December 11, 2013, the defendant submitted a urine sample that tested positive for cocaine. When confronted with the results, he signed an admission acknowledging his use of cocaine on or about December 5, 2013. As a result of this use, drug testing will be increased and the defendant will be continued in substance abuse counseling.

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As a condition of supervised release, the defendant was ordered to pay restitution in the amount of \$11,308.93 and a \$300 special assessment at a rate of \$50 per month commencing 60 days after his release from custody. As of this date, he has made no payments despite having some ability to pay. The defendant now reports he will be applying for disability benefits due to health problems that prevent him from obtaining gainful employment. We will continue efforts to collect the required monetary obligations.

Since successfully completing the 90 day period of home confinement, the defendant has failed to report for numerous office visits and urine samples as directed. The defendant has again been warned that continued noncompliance will result in a request for a revocation hearing. In an effort to gain compliance, we are recommending that the conditions of supervision be modified to include seven days in the Bureau of Prisons. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 7 days, as directed by the U.S. Probation Office, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Eddie J. Smith
Eddie J. Smith
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: December 16, 2013

ORDER OF COURT

Considered and ordered this 16 day of December, 2013, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge